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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,046	06/22/2001	Carol Shifrin Gruchala	P20144.P05	5443
7055	7590	09/08/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C.			LE, KAREN L	
1950 ROLAND CLARKE PLACE			ART UNIT	
RESTON, VA 20191			PAPER NUMBER	
			2642	

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/886,046

Applicant(s)

GRUCHALA ET AL.

Examiner

Karen L. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 15-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. ____   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____  | 6) <input type="checkbox"/> Other: ____                                     |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on June 8, 2005 has been entered. No claims have been amended. No claims have been cancelled. No claims have been added. Claims 15-28 are pending in this application, with claims 15, 24 and 27 being independent. This action is made final.

### ***Claim Rejections - 35 USC § 103***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 15-17 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over FCC CC Docket No. 92-105.

As for claims 15 and 17, FCC '105 discloses a method for routing a call to a telecommunications relay service center (or relay), the call initiated in response to a calling party (or caller) inputting a universal telephone number (or 711) into a communications device, the method comprising, establishing a communications connection between the communications device and the telecommunications relay service (See Page 62, lines 16-25).

Further, FCC '105 does not explicitly disclose forwarding a "charge number"<sup>1</sup> to the telecommunications relay service center. However FCC ' 105 teaches forwarding consumer's carrier of choice to the telecommunications relay service center (Page 20, lines 9-16). FCC'105 teaches accessing to information about the consumer's carrier of choice in the consumer's profile. It is inherent that a system has consumer's profile will have to have the calling party number, the "charge number". Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have FCC'105's system forward the "charge number" in consumer's profile to TRS center. For toll-free (1-800) calls, the TRS center inherently, or at least obviously, has to receive the calling party number for many purposes such as billing and best routing of the incoming call within the center. For example, since toll-free calls are billed to the called center, the called center needs to know the exact source of the call (call from the same state or call from Hawaii) because the called center is paying for the call.

FCC '105 teaches that a representative from AT&T addressed the necessity of feature Group D-type connectivity to the LEC access tandem, as that's the preferred way for their company to handle carrier-of-choice calls today (Page 99, lines 11-13).

Therefore, it would have been obvious to one of ordinary skill in the art to establish a connection between a communications device (as read on " connectivity to the LEC access tandem", since the caller will need to connect through the LEC or switch and from there to the TRS) and the telecommunications relay service center and

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<sup>1</sup> Note that a "charge number" is a very broad limitation that may read on many numbers such as, for example, the last four digits of the 1-800 (toll-free) number known in the art as DNIS.

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forwarding a charge number "over a signaling system 7 (SS7) feature D trunk line"; as motivated by AT&T's representative explanation of how they handle their calls.

As for claims 16, FCC '105 discloses ascertaining a toll free telephone number in response to the input universal telephone number, the toll free telephone number corresponding to the telecommunications relay service center (See Page 62, lines 16-18).

Claims 27 and 28 are rejected for the same reasons as claims 15 and 16. The limitations in those claims are directed to software capable of executing the method of claims 15 and 16.

3. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over FCC CC Docket No. 92-105, as applied to claims 15-17 above, in view of Morrissey et al. (US 5,524,146) and further in view of Peltz (August 1999).

Morrissey et al. teaches "The present service could be implemented with one or more ISCP's per state, to avoid overloading existing CCIS data links. Alternatively, the ISCP could be implemented on a LATA by LATA basis or on a regional operating company, i.e. one data base for the entire geographic area serviced by one of the Regional Bell Operating Companies." (See Best Mode, Col. 9, lines 19-24).

Peltz further teaches "Common carriers are required under Title IV of the Americans Disabilities Act (ADA) to provide TRS throughout their calling areas. For the most part, they fulfill this obligation through state-operated TRS programs. Each of the 50 states and United States territories have independently developed these programs,

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resulting in a myriad of 7 to 11 digit relay telephone numbers across the nation. This has made access to TRS difficult, if not impossible, when relay callers travel across state border. Use of the 7-1-1 code simplifies access to TRS [...] Commenters to the Commission's NPRM on this subject reported that routing all 711 calls from a subscriber's telephone to the subscriber's preferred TRS provider can be accomplished through a database query initiated by an Advanced Intelligent Network (AIN). The query response would contain an 800 routing number that would correspond to the relay user's pre-selected provider..." (See Page 2, P. 3 and Page 5, P. 2).

It would have been obvious to one of ordinary skill in the art at the time the invention to modify FCC CC Docket No. 92-105 system, with the step of having the SCP identifying the originating state of the caller and forwarding the call to an appropriate TRS center for the originating state as per the teachings of both Morrissey et al. and Peltz; thus in this manner making possible to telecommunication service providers (or common carriers) to provide a relay caller with a simpler way to call the TRS center when traveling across state lines and using several toll-free numbers (or charge numbers, as these 800 numbers are associated with subscriber's preferred TRS provider) per state to avoid overloading the existing data links.

4. Claims 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over FCC CC Docket No. 92-105, as applied to claims 15-17, and further in view of Keating et al. (September 1998).

As for claims 20-22, Keating et al. teaches "...all incoming emergency relay calls should be processed through an automated database system that matches the TRS callers automatic information ("ANI") with the appropriate emergency number in his or her area. [...] share database information, including ANI and automatic location information ("ALI")... Sharing database information with TRS providers will permit CAs [calling assistants] to quickly access a caller's ANI/ALI and to forward the information to the appropriate emergency PSAP." (See Page 2, P. 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify FCC '105, as applied to 15-17, by adding the step of displaying at the TRS center: user identifying information and location of the calling party, as taught by Keating et al.; and thus in this manner provide the TRS center with an efficient manner to handle emergency calls to a TRS center. The Examiner further adds, it is well known that emergency calls made by a calling party are counted in order to keep a log of how the emergency situation was handled, keeping track of amount of calls made are also used for billing purposes.

Further, it is obvious from the ability of a calling assistant to retrieve caller's ANI/ALI information from a share database; that "memory and graphical displays that display identifying information" means should exist.

As for claim 23, it is well-known in the art that for ethical reasons the only information -made into a TRS center- that can be stored in memory is the one used for planning and billing purposes, the only time when this rule is waived is during emergency situations.

5. Claims 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over FCC CC Docket No. 92-105, as applied to claims 15-17, in view of Breslin (August 1999).

Claim 24 is rejected for the same reasons as claim 15. However, while claim 15, discussed how the communications device and the relay service center are connected through the LEC (local exchange carrier), it lacks a "service switching point that establishes a communications connection...", "the service switching point forwarding a charge number" and "a service control point that communicates with service switching point, the service switching point translating the universal telephone number into a telephone number corresponding to the...relay service center".

However, FCC '105, introduces the question of how to implement the system in an AIN system (See, for example, Page 58, lines 1-6).

As for claims 24 and 25, Breslin teaches "Bell Atlantic chose Advanced Intelligent Network (AIN) technology to provide 7-1-1 access because of cost and functionality. The AIN Integrated Service Control Point (ISCP) contains service logic that responds to queries from the switches. The use of AIN enables the 800 number for each state to be programmed into an ISCP based on the Numbering Plan Area (NPA) of the calling party. Because of Bell Atlantic's success with the AIN deployment of 7-1-1 dialing in Maryland, AIN is being used to provide 7-1-1 service to Bell Atlantic's remaining states and jurisdictions [...]. The Commission should find that TRS providers are obligated to provide access to the customer's carrier of choice so that everyone -- including Relay



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users -- can benefit from being able to choose from all of the calling plans and services available to them in a competitive marketplace" (See Page 1, P. 5).

Further, Breslin teaches the use of a service control point (or ISCP) communicating with an SSP (as read on "queries from the switches") for translating the universal dialed number (or 711) into a toll free number (or 800 number) corresponding to a TRS center.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify FCC '105 system, by providing a universal number that can be translated to a toll free telephone number of a telecommunications relay service center comprising to an ANI or a charge number (as read on calling plan) of the communications device as taught by Breslin; thus in this manner making it easier to a person with disabilities to contact a TRS with easy dialing of a N11 (or 711) type code number, but also provide access to the customer's carrier of choice (or charge number). As taught by Breslin, the AIN enables the 800 number for each state to be programmed into the SCP, thus it would have been to determine the originating state of the call by means of this number and efficiently routing the call to the service relay center that serves the identified state.

As for claim 26, it is inherent that the TRS may be able to identify the communication device based on the received ANI information (See FCC' 105, Page 37, line 24 through Page 38, line 1).

***Response to Arguments***

6. Applicant's arguments with respect to claims 15-28 have been considered but are not persuasive.

As to Applicant's remarks, Applicant mainly argues that the only identifier described in FCC CC Docket No. 91- 105 as being provided to a TRS is ANI, and not charge number (CN). Examiner respectfully disagrees for the following reasons:

FCC '105 does not explicitly disclose forwarding a "charge number" to the telecommunications relay service center. However FCC ' 105 teaches forwarding consumer's carrier of choice to the telecommunications relay service center (Page 20, lines 9-16). FCC'105 teaches accessing to information about the consumer's carrier of choice in the consumer's profile. It is inherent that a system has consumer's profile will have to have the calling party number, the "charge number". Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have FCC'105's system to forward the "charge number" in consumer's profile to TRS center. For toll-free (1-800 calls), the TRS center inherently, or at least obviously, has to receive the calling party number for many purposes such as billing and best routing of the incoming call within the center. For example, since toll-free calls are billed to the called center, the called center needs to know the exact source of the call (call from the same state or call from Hawaii) because the called center is paying for the call.

Applicant also argues that the ANI is forwarded over a multifrequency trunk, and not a signaling system 7 feature group D trunk line. Examiner respectfully disagrees for the following reasons: FCC '105 teaches that a representative from AT&T addressed

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the necessity of feature Group D-type connectivity to the LEC access tandem, as that's the preferred way for their company to handle carrier-of-choice calls today (Page 99, lines 11-13).

Therefore, it would have been obvious to one of ordinary skill in the art to establish a connection between a communications device (as read on "connectivity to the LEC access tandem", since the caller will need to connect through the LEC or switch and from there to the TRS) and the telecommunications relay service center and forwarding a charge number "over a signaling system 7 (SS7) feature D trunk line"; as motivated by AT&T's representative explanation of how they handle their calls.

For above reasons, FCC '105 is maintained for supporting the enclosed Examiner's Final Action.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,163,087 to Kaplan disclose an enhanced "800" service translates an Automatic Number Identification (ANI) of a calling party into a customer data base key defined by called party. The customer data base key is then provided by the enhanced "800" service to the called party in place of the ANI information.

Kaplan also teaches routing a telephone call from customer terminal to business. Kaplan's system includes Common Channel Signaling Network for transferring control information such as billing (charge number), social security number and ANI to an agent of the business. The Kaplan's network merely representative, and other network configuration and architectures can be used.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Le whose telephone number is 571-272-7487. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karen le  
KLL

August 22, 2005

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